

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE CABALLERO, *et al.*,

No. C-13-3178 EMC

Plaintiffs,

v.

ORDER TO STAY PROCEEDINGS

THE BANK OF NEW YORK MELLON
FKA THE BAN OF NEW YORK AS
SUCCESSOR TO JPMORGAN CHASE
BANK N.A. AS TRUSTEE FOR HOLDERS
OF SAMI II TRUST 2006-AR7, *et al.*,

Defendant.

On May 31, 2013, Plaintiffs Jose Caballero and Angelica Caballero, represented by attorney, Linda Z. Voss, filed in San Mateo County Superior Court a complaint against Defendant, The Bank of New York Mellon. On July 10, 2013, Defendant removed this action to the Northern District. Pending before the Court is Defendant's Motion to Dismiss (Docket No. 10), filed July 17, 2013. The hearing was set for September 26, 2013. Plaintiffs did not file an opposition or statement of non-opposition by the filing deadlines set forth in Local Rule 7-3.

It has come to the Court's attention that, on June 3, 2013, Counsel Voss was suspended from practice in the Northern District for 30 months, pursuant to Local Rule 11-7(b)(1), (2). *See In the Matter of Linda Z. Voss*, 3:13-mc-80120-WHA, Docket Nos. 1, 3. The suspension prohibits Counsel from appearing in the Northern District on behalf of clients and from filing papers on their behalf. Counsel Voss failed to provide the Court in this action with notice of her suspension.

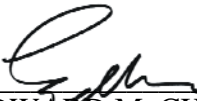
The Court orders Counsel Voss as follows:

- (1) to notify Plaintiffs that she has been suspended from practice before the Court;
- (2) to notify Plaintiffs that Defendant has filed a Motion to Dismiss against them;
- (3) to serve on Plaintiffs a copy of Defendant's Motion to Dismiss and this Order;
- (4) to file with the Court, within seven days of the date of this Order, a declaration under penalty of perjury that she has complied with (1), (2), and (3), including proof of service for # (3); and
- (5) to submit to (and not file with) the Court all contact information for the Plaintiffs including address, email address and telephone number(s).

The Court stays the instant motion until further order to determine whether Plaintiffs will be allowed to file an opposition. The hearing date of September 26, 2013 in the pending motion (Docket No. 10) is **VACATED**.

IT IS SO ORDERED.

Dated: September 3, 2013


EDWARD M. CHEN
United States District Judge